

Exhibit B

1 UNITED STATES DISTRICT COURT
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WESTERN DISTRICT OF NEW YORK

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MOOG INC.,) 22-CV-187
Plaintiff)
5 vs.
6 SKYRYSE, INC., et al) Buffalo, New York
Defendant.) August 4, 2022

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DISCOVERY HEARING

8 **Proceeding held via Zoom for Government Platform**
All parties appeared remotely.

9 **Transcribed from audio of Zoom for Government Platform**

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11 TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE JEREMIAH J. MCCARTHY
UNITED STATES MAGISTRATE JUDGE

12 FOR PLAINTIFF: SHEPPHARD MULLIN RICHTER & HAMPTON, LLP
13 BY: RENA ANDOH, ESQ.
LAI YIP, ESQ.
14 KAZIM A. NAQVI, ESQ.
TRAVIS ANDERSON, ESQ.
15 -and-
HODGSON RUSS, LLP
16 BY: ROBERT J. FLUSKEY, JR, ESQ.
PAULINE MUTO, ESQ.

17 FOR DEFENDANT: LATHAM & WATKINS, LLP
18 BY: DOUGLAS E. LUMISH, ESQ.
GABRIEL S. GROSS, ESQ.
19 KELLEY STOREY, ESQ.
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20 JULIANNE CATHERINE OSBORNE, ESQ.
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21 JOSEPH LEE, ESQ.
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22 FOR DEFENDANT
23 PILKINGTON/KIM: WINGET, SPADAFORA & SCHWARTZBERG, LLP
BY: ALEXANDER ASHER TRUITT, ESQ.
24 ANTHONY D. GREEN, ESQ.
ANNABEL MIRALES, ESQ.

25 COURT REPORTER: Karen J. Clark, Official Court Reporter
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2 well, let me ask a preliminary question first. Skyryse
3 is in California, correct?

4 MR. GROSS: Yes, your Honor, (inaudible)
5 California, Central District.

6 MAGISTRATE JUDGE MCCARTHY: The individual
7 Defendants are in California, correct?

8 MR. GREEN: That is correct, your Honor.

9 MAGISTRATE JUDGE MCCARTHY: When they were
10 working for Moog, were they in California?

11 MR. GREEN: Yes, they were.

12 MAGISTRATE JUDGE MCCARTHY: So, we now have
13 a criminal investigation in California that may or may
14 not result in criminal charges, and we have a civil case
15 in New York, as to which motions are pending before
16 Judge Vilardo for either dismissal for lack of
17 jurisdiction or for transfer of venue. In light of the
18 criminal developments, does anybody intend to supplement
19 those motions and bring this information to Judge
20 Vilardo's attention? Because, frankly, and I have not
21 studied those issues, but if we stay in New York on the
22 civil case and we've got a criminal investigation in
23 California, that may or may not result in criminal
24 charges. If it does, I presume those charges are going
25 to be brought in California. I'm just wondering in

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terms of judicial efficiency, what is the best way to proceed. Those motions are not before me, but it seems to me somebody may want to bring these developments to Judge Vilardo's attention. If anybody wants to react to that, you're welcome to, or, if you chose not to, that is your prerogative as well.

24 MAGISTRATE JUDGE McCARTHY: How can they not
25 be related?